

BTVLEP Conflicts of Interest Policy - March 2016

Because of the administrative model operated by BTVLEP, clear delineation between technical and administrative support will need to be established on a scheme by scheme basis, to ensure the BTVLEP Board receives appropriate advice - independent of scheme promoters - and potential conflicts of interest are avoided.

Where the Chairman has a conflict of interest he/she should ensure that he/she does not influence the decision and the decision is taken by a Board Member who does not have such a conflict.

If every member of the BTVLEP Board has a conflict of interest, consideration should be given to delegating the decision to an appropriate Sub-committee or member of the Executive or to seek a dispensation.

Board Members have a key role in commissioning services from delivery units which may be internally or externally run through a variety of service models. Where such a service is commissioned by a Board Member from an external delivery unit, Board Members should be mindful of potential conflicts of interest arising from also sitting on the board (or similar governance structure) of that delivery unit. This is because Board Members may also acting as company board directors (who under the Company Act 2006 have a legal duty to act in the best interests of the company) may be unable to fully fulfil their role as a strategic decision-maker in making commissioning decisions on the contract arrangements with that company or in their role in holding the external delivery unit to account. In such circumstances, Board Members should seek advice from the Chief Executive prior to sitting on any external board (or similar governance arrangement) in order to fully consider any implications arising from potential conflicts of interest.

In addition, where any of BTVLEP's delivery bodies are directly involved in the delivery of particular schemes, or elements of particular schemes, a clear rationale for adopting an 'internal' delivery model will need to be clearly spelt out.

Any Conflicts of interest will be noted at the start of any meeting and where such conflicts materially affect a member's ability to vote without prejudice, such a member will withdraw from the vote and may provide a substitute if such conflicts are known in advance.

A register of personal interests is maintained for every Board member and available for scrutiny on the BTVLEP website. Voting members will declare any hospitality or gifts relevant to the board's activities, and this list will be maintained by the BTVLEP secretariat.

The BTVLEP Board may, at any time authorise a person to be involved in a situation in which the person has or may have a direct or indirect interest which conflicts or may conflict with the interests of the BTVLEP Board ("a conflict of interest") provided that the conflict of interest at the time is declared to them and the person subject to the conflict of interest shall not vote.

In the event that there is a pecuniary conflict of interest the person so conflicted shall immediately declare the nature of the conflict or potential conflict and withdraw from any business where the conflict would be relevant. Whenever a person has an interest in a matter to be discussed at a meeting the person concerned will not be:

- entitled to remain present at the meeting during discussion of that matter;
- counted in the quorum for that part of the meeting;
- entitled to vote on the matter.

A Register of Board Members' Interests will be maintained.

If a member has any uncertainties about the provisions of the Code of Conduct or about whether he/she has a Disclosable Personal Interest in a matter, he/she should consult the BTVLEP Chief Executive.

Every member shall submit details of his/her interests to the Board Secretary who shall maintain a Register of Members' Interests. The Register shall be published on BTVLEP's website. The Register will also record any dispensations granted against each Members' register entry.

The Board Secretary will also maintain a record of any staff member's prejudicial interest in any contracts, and this register shall be available during office hours for inspection by any member of the BTVLEP Board.